

INFO	LOG-00	AF-00	AID-00	AMAD-00	CG-00	CIAE-00	COME-00
	CTME-00	INL-00	DODE-00	DOEE-00	ITCE-00	DATE-00	PDI-00
	DS-00	EAP-00	DHSE-00	EXME-00	EUR-00	E-00	FAAE-00
	FBIE-00	UTED-00	VCI-00	FRB-00	H-00	TEDE-00	INR-00
	IO-00	L-00	MOFM-00	MOF-00	VCIE-00	DCP-00	NSAE-00
	ISN-00	OES-00	OIC-00	OMB-00	NIMA-00	MCC-00	PM-00
	GIWI-00	MA-00	SCT-00	ISNE-00	DOHS-00	SP-00	SSO-00
	SS-00	STR-00	TRSE-00	NCTC-00	ASDS-00	FMP-00	CBP-00
	BBG-00	IIP-00	SCRS-00	PMB-00	DSCC-00	PRM-00	DRL-00
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UNCLAS STATE 089648

E.O. 12958: N/A

TAGS: EWWT ETRD ECON KHLS PTER PREL MA
SUBJECT: ISPS CODE DEMARCHE FOR MADAGASCAR

REF: (A)2007 STATE 49179, (B)U.S. COAST GUARD TRIP REPORT

¶1. This is an action request. See paragraph 4.

SUMMARY

¶2. As a result of a series of country visits conducted in October 2005, July 2006, and August 2008, the Coast Guard found that with the exception of the ports of Toamasina (also known as Tamatave), Antisiranana (also known as Diego Suarez), and Majunga, effective anti-terrorism measures are not in place in most of the ports of Madagascar. The USCG has issued a Port Security Advisory, a public notice required under the Maritime Transportation Security Act of 2002, and has began imposing conditions of entry on vessels coming to the United States from Madagascar, with potential consequences for bilateral maritime trade. Post is requested to inform working level contacts in the government of Madagascar of these actions.

BACKGROUND

¶3. The Maritime Transportation Security Act Of 2002 (46 U.S.C. 70108-70110) requires the Secretary Of Homeland Security to monitor the effectiveness of anti-terrorism measures maintained in foreign ports and to take actions if effective anti-terrorism measures are not in place. The United States Coast Guard (USCG) uses compliance with the International Maritime Organization's (IMO) International Ship and Port Facility Security (ISPS) Code as the baseline for determining whether effective anti-terrorism measures are in place. Based on visits that occurred in 2005 and 2006, the Coast Guard made a finding that effective anti-terrorism measures were not in place and the State Department delivered a demarche to the Government of Madagascar to that effect in May 2007 and informed them that conditions of entry would be imposed. The government of Madagascar responded to the demarche and indicated that appropriate corrections had been made. On that basis, the Coast Guard suspended the imposition of conditions of entry pending our ability to conduct a revisit to verify that improvements were made. Subsequent visits in 2007 and 2008 indicated some progress was made, however given the political situation in Madagascar, the Coast Guard is unable to determine that the required improvements are in place. The Coast Guard has therefore lifted its suspension and begun imposing conditions of entry.

ACTION REQUEST

¶4. Post is requested to deliver the talking points in paragraph 5 to the appropriate Malagasy officials at the working level. Please confirm delivery.

Talking Points

¶5. Under the Maritime Transportation Security Act (MTSA), the United States Congress mandated that the United States Coast Guard (USCG) monitor the effectiveness of anti-terrorism measures in foreign ports.

The USCG utilizes compliance of foreign ports with the International Ship and Port Facility Security (ISPS) Code as the baseline for determining whether effective anti-terrorism measures are in place.

Your country was notified that the Coast Guard determined that effective anti-terrorism measures were not in place (with certain exceptions) in the ports in your country and that conditions of entry would be imposed if the deficiencies were not corrected. While subsequent visits have indicated some improvement, the Coast Guard is unable to verify that effective anti-terrorism measures are in place in the ports of your country. The Coast Guard has imposed the conditions of entry.

End talking points.

¶6. Department is aware of the effect such actions could have and invites post to provide insights and suggestions. Your assistance is appreciated.

CLINTON